

// A special meeting of the Council of the City of Lynchburg, recessed from January 13, was held on the 27th day of January, 2004, at 1:30 P.M., in the Second Floor Training Room, City Hall, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session regarding several items. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Absent: 0

// Communications & Marketing Director JoAnn Martin provided an overview regarding "Volunteer! Lynchburg," a program created to encourage citizens to take a more active role in local government through volunteering. Ms. Martin explained that the volunteer initiative had been designed to compliment the successful Citizens Academy program as a way of promoting opportunities for citizens to become involved in the day-to-day operation of local government as well as serving on Council-appointed boards/commissions. Ms. Martin went on to say that funds have been included in the proposed FY2005 Budget for printing/promotions and to fund City-wide volunteer recognition efforts.

// Deputy City Manager Bonnie Svrcek provided information regarding a citizen survey that the City Administration and City Council could use as a tool to measure service performance, assess community needs, and make long-range, short-range and strategic plans. Ms. Svrcek stated that staff is recommending The National Citizen Survey, administered by The National Research Center, Inc., at a cost of \$11,350. Some Council Members questioned the results that would be achieved due to the small number of citizens receiving/returning the survey. Other Council Members noted that the survey could provide very valuable information if done correctly and in a way that would gather the information needed to assist the City in determining spending priorities and strategies for the future. City Council asked staff to prepare additional information, including a sample survey, some sample questions that would be asked on the survey, and to schedule this item for additional discussion at a future work session.

// City Manager Kimball Payne presented an overview regarding proposed Implementation Procedures and Guidelines for the Public-Private Transportation Act of 1995 (PPTA) and the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA). Following the presentation, and on motion of Vice Mayor Dodson, seconded by Council Member Barksdale, Council by the following recorded vote approved the Implementation Procedures and Guidelines for the Public-Private Transportation Act of 1995 (PPTA) and the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA):

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// City Manager Kimball Payne provided information regarding proposed legislation under consideration by the 2004 Virginia General Assembly that could have a potential negative impact on Lynchburg.

// Deputy City Manager Bonnie Svrcek introduced Mr. Lon Carruth, Adelphia's District Manager, who was present to address concerns raised by City Council at the December 16 work session regarding the City's local cable television service/rates. Mr. Carruth provided information regarding recent as well as upcoming changes that Adelphia would be making, including closing its local call center in Lynchburg in

May and routing all calls to a company-wide national call center. Mr. Carruth explained that the national call center would allow customers to speak with a customer service representative 24 hours a day, 365 days a year. In response to Council questioning, Mr. Carruth explained that programming costs, especially for sports channels, have been rising constantly thereby causing cable companies to also increase cable television rates to their subscribers.

// Prior to roll call, Mayor Hutcherson inquired if City Council wanted to discuss the conflict of interest matter in an open rather than closed meeting. City Attorney Walter Erwin suggested that City Council allow him first to provide a legal opinion regarding this matter in a closed meeting and then if Council so chooses, they can come out of the closed meeting and discuss the matter in an open meeting. Council agreed to the City Attorney's suggestion.

// During roll call, Council Member Garber asked staff to send letters to other cable television companies to see if they would be interested in providing cable television service to the City. Council Member Barksdale asked staff to gather information and provide a report to City Council regarding the recent closing of the Hunton YMCA. In response to Council Member Foster's inquiry, City Manager Kimball Payne explained that staff is preparing a presentation for the February work session regarding two-way traffic on Main Street. In response to Vice Mayor Dodson's inquiry, City Manager Payne stated that the lights in the Morrison Park on Fifth Street would be removed by Lynch's Landing. Mayor Hutcherson informed that Sheriff Gillespie has offered the use of his Deputies to oversee prisoners to do cleanup on City streets if the City can fund the costs for those Deputies. Mayor Hutcherson also informed of a citizen's concern that some businesses are not removing the snow off of the sidewalks in front of their establishments. Council Adams stated that one of the problems that some businesses are encountering is that when they do clean off the sidewalks, additional snow and ice are added back onto the sidewalks as City trucks continue to clean the streets.

// On motion of Vice Mayor Dodson seconded by Council Member Barksdale, Council by the following seconded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions and for consultation with legal counsel concerning specific legal matters regarding contracts, leases, and conflict of interest matters, all of which require the provision of legal advice, pursuant to Section 2.2-3711(A)(1) and (7), respectively, of the Code of Virginia, as amended:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

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Noes:

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// The meeting was re-opened to the public.

// Council Member Barksdale made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Vice Mayor Dodson, and Council by the following recorded vote adopted the motion:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

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Noes:

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// The meeting was adjourned at 4:50 p.m.

Clerk of Council